

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL T. COPELAND,

Plaintiff,

v.

KILOLO KIJAKAZI,

Acting Commissioner of Social Security,

Defendant.

Case No. 4:21-CV-1445 PLC

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff Michael Copeland’s petition to award attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. [ECF No. 22] Plaintiff requests an award of \$7,942.50, representing 35.3 hours of attorney time at a rate of \$225.00 per hour. Plaintiff attaches an “Assignment of US District Court EAJA Attorney Fee,” in which he assigned any court-awarded fee to his attorney, Traci L. Severs. [ECF No. 22-2] Plaintiff also submits a bill of costs and requests reimbursement of the filing fee in the amount of \$402.00. [ECF No. 23]

Plaintiff and Defendant subsequently filed a “Joint Stipulation and Consent to Attorney Fees and Costs Pursuant to the Equal Access to Justice Act (EAJA),” in which they “agree and stipulate to an award of EAJA fees and expenses in the amount of \$7,250.00 in attorney fees, to be paid by the Social Security Administration, and \$402.00 in costs, to be paid from the Judgment Fund.” [ECF No. 26] She notes, however, that any award of attorney fees is subject to offset to satisfy any preexisting debt Plaintiff owes to the United States. See Astrue v. Ratliff, 560 U.S. 586 (2010).

After careful consideration,

IT IS HEREBY ORDERED that Plaintiff's petition to award attorney fees [ECF No. 22] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff is awarded EAJA attorney fees in the amount of \$7,250.00, subject to offset for any preexisting debt that the Plaintiff owes to the United States. After determining whether Plaintiff owes any debt to the United States that is subject to offset, Defendant is directed to pay the EAJA fees directly to Plaintiff's attorney.

IT IS FINALLY ORDERED that Plaintiff is awarded costs of \$402.00, to be paid from the Judgment Fund administered by the United States Treasury.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 31st day of August, 2022